

STATE OF MINNESOTA

EIGHTY-FIRST SESSION — 1999

SIXTIETH DAY

SAINT PAUL, MINNESOTA, FRIDAY, MAY 7, 1999

The House of Representatives convened at 9:00 a.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by Dr. George Weinman, Roseville Lutheran Church, Roseville, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abeler	Dorn	Howes	Mares	Peterson	Tuma
Abrams	Entenza	Huntley	Mariani	Pugh	Tunheim
Anderson, B.	Erhardt	Jaros	Marko	Reuter	Van Dellen
Anderson, I.	Erickson	Jennings	McCollum	Rifenberg	Vandever
Bakk	Finseth	Juhnke	McElroy	Rostberg	Wagenius
Biernat	Fuller	Kahn	McGuire	Rukavina	Wejcmán
Bishop	Gerlach	Kalis	Milbert	Schumacher	Wenzel
Boudreau	Gleason	Kelliher	Molnau	Seagren	Westerberg
Bradley	Goodno	Kielkucki	Mulder	Seifert, J.	Westfall
Broecker	Gray	Knoblach	Mullery	Seifert, M.	Westrom
Buesgens	Greenfield	Koskinen	Munger	Skoe	Wilkin
Carlson	Greiling	Krinkie	Murphy	Skoglund	Winter
Carruthers	Gunther	Kubly	Ness	Smith	Wolf
Cassell	Haake	Kuisle	Nornes	Solberg	Workman
Chaudhary	Haas	Larson, D.	Olson	Stanek	Spk. Sviggum
Clark, J.	Hackbarth	Leighton	Opatz	Stang	
Daggett	Harder	Lenczewski	Orfield	Storm	
Davids	Hasskamp	Leppik	Osskopp	Swenson	
Dawkins	Hausman	Lieder	Otremba	Sykora	
Dehler	Hilty	Lindner	Pawlenty	Tingelstad	
Dempsey	Holberg	Luther	Paymar	Tomassoni	
Dorman	Holsten	Mahoney	Pelowski	Trimble	

A quorum was present.

Folliard, Johnson, Paulsen and Rhodes were excused.

Ozment was excused until 9:25 a.m. Osthoff was excused until 9:35 a.m. Larsen, P., was excused until 9:55 a.m. Rest was excused until 10:25 a.m. Clark, K., was excused until 11:00 a.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Gerlach moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

The Speaker called Boudreau to the Chair.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Kahn; Biernat; Mullery; Gray; Wagenius; Greenfield; Clark, K.; Wejcman; Kelliher; Orfield; Skoglund; Gleason and Jennings introduced:

H. F. No. 2439, A bill for an act relating to economic development; authorizing and providing state and local funds for redevelopment of the upper harbor area in Minneapolis; authorizing tax increment districts and local bonds; appropriating money.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Mares, Pawlenty, Hausman, Milbert and Van Dellen introduced:

H. F. No. 2440, A bill for an act relating to sports; requiring the amateur sports commission to develop, adopt, and implement a plan for new facilities statewide; authorizing grants and local bonds; appropriating money; amending Minnesota Statutes 1998, section 373.40, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 240A; and 373.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Seifert, J., introduced:

H. F. No. 2441, A bill for an act relating to legislative enactments; correcting miscellaneous oversights, inconsistencies, ambiguities, unintended results, and technical errors; amending Minnesota Statutes 1998, section 322B.115, subdivision 4.

The bill was read for the first time and referred to the Committee on Civil Law.

The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 621

A bill for an act relating to public safety; adding various arson definitions relating to flammability; imposing penalties on students who use ignition devices inside educational buildings; amending Minnesota Statutes 1998, sections 609.561, subdivision 3; and 609.5631, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 609.

April 28, 1999

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

We, the undersigned conferees for H. F. No. 621, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H. F. No. 621 be further amended as follows:

Page 2, line 31, after "fire" insert ", and arson in the first, second, third, or fourth degree was not committed."

We request adoption of this report and repassage of the bill.

House Conferees: DOUG FULLER, PEG LARSEN AND MARY JO MCGUIRE.

Senate Conferees: STEVEN G. NOVAK, DAVE JOHNSON AND MICHELLE L. FISCHBACH.

Fuller moved that the report of the Conference Committee on H. F. No. 621 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 621, A bill for an act relating to public safety; adding various arson definitions relating to flammability; imposing penalties on students who use ignition devices inside educational buildings; amending Minnesota Statutes 1998, sections 609.561, subdivision 3; and 609.5631, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 609.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 113 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Holberg	Luther	Osskopp	Storm
Abrams	Dorn	Holsten	Mahoney	Otremba	Swenson
Anderson, B.	Entenza	Howes	Mares	Pawlenty	Sykora
Bakk	Erhardt	Huntley	Mariani	Pelowski	Tingelstad
Biernat	Erickson	Jennings	Marko	Peterson	Trimble
Bishop	Finseth	Juhnke	McCollum	Pugh	Tuma
Boudreau	Fuller	Kalis	McElroy	Reuter	Tunheim
Bradley	Gerlach	Kelliher	McGuire	Rifenberg	Vandever
Broecker	Gleason	Kielkucki	Milbert	Rostberg	Wagenius
Buesgens	Goodno	Knoblach	Molnau	Schumacher	Wejzman
Carlson	Greenfield	Koskinen	Mulder	Seagren	Wenzel
Carruthers	Greiling	Kubly	Mullery	Seifert, J.	Westerberg
Cassell	Gunther	Kuisle	Munger	Seifert, M.	Westfall
Chaudhary	Haake	Larson, D.	Murphy	Skoe	Wilkin
Clark, J.	Haas	Leighton	Ness	Skoglund	Winter
Daggett	Hackbarth	Lenczewski	Nornes	Smith	Wolf
Davids	Harder	Leppik	Olson	Solberg	Workman
Dehler	Hasskamp	Lieder	Opatz	Stanek	Spk. Sviggum
Dempsey	Hilty	Lindner	Orfield	Stang	

Those who voted in the negative were:

Anderson, I.	Gray	Jaros	Paymar	Tomassoni
Dawkins	Hausman	Kahn	Rukavina	

The bill was repassed, as amended by Conference, and its title agreed to.

Anderson, I., was excused between the hours of 9:30 a.m. and 10:30 a.m.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 1235, A bill for an act relating to agriculture; exempting livestock production facilities from the ambient hydrogen sulfide standards on days manure is being removed from barns or manure storage facilities; amending Minnesota Statutes 1998, section 116.0713.

PATRICK E. FLAHAVEN, Secretary of the Senate

Swenson moved that the House refuse to concur in the Senate amendments to H. F. No. 1235, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Pawlenty from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bill to be placed on the Calendar for the Day, immediately preceding the remaining bills on the Calendar for the Day, for Friday, May 7, 1999:

H. F. No. 1124.

CALENDAR FOR THE DAY

H. F. No. 1124 was reported to the House.

Smith moved to amend H. F. No. 1124, the second engrossment, as follows:

Delete everything after the enacting clause and insert:

"Section 1. [16B.616] [BLEACHER SAFETY.]

Subdivision 1. [DEFINITIONS.] (a) For purposes of this section, the following terms have the meanings given.

(b) "Place of public accommodation" means a public or privately owned sports or entertainment arena, gymnasium, auditorium, stadium, hall, special event center in a public park, or other facility for public assembly.

(c) "Bleacher" refers to any tiered or stepped seating facility, whether temporary or permanent, used in a place of public accommodation for the seating of its occupants.

Subd. 2. [APPLICATION.] All places of public accommodation must comply with the provisions of this section.

Subd. 3. [SAFETY REQUIREMENTS.] In places of public accommodation using bleacher seating, all bleachers or bleacher open spaces over 30 inches above grade or the floor below, must conform to the following safety requirements:

(1) The open space between bleacher footboards, seats, and guardrails must not exceed four inches, unless approved safety nets are installed.

(2) Bleachers must have vertical perimeter guardrails with no more than four-inch rail spacing between vertical rails or other approved guardrails which address climbability and are designed to prevent accidents. Safety nets and guardrail climbability shall be approved by the state building official pursuant to the alternate design section in the State Building Code.

(3) Bleachers already in existence as of the effective date of this act must comply with the structural provisions of the 1998 State Building Code. All new bleachers manufactured, installed, sold, or distributed after July 1, 1999, must comply with the State Building Code in effect and paragraphs (1) and (2).

Subd. 4. [ENFORCEMENT.] (a) A statutory or home rule charter city that is not covered by the code because of action taken under section 16B.72 or 16B.73 is responsible for enforcement in the city of the code's requirements for bleacher safety. In all other areas where the code does not apply because of action taken under section 16B.72 or 16B.73, the county is responsible for enforcement of those requirements.

(b) Municipalities which have not adopted the code may enforce the code requirements for bleacher safety by either entering into a joint powers agreement for enforcement with another municipality which has adopted the code; or contracting for enforcement with a qualified and certified building official or state licensed design professional to enforce the code.

(c) Municipalities, school districts, organizations, individuals, and other persons, operating or owning places of public accommodation with bleachers, shall provide a signed certificate of compliance to the commissioner by the effective date of this section. The signed certificate shall be prepared by a qualified and certified building official or state licensed design professional and shall certify that the bleachers have been inspected and are in compliance with the requirements of this section and are structurally sound.

Subd. 5. [PENALTIES.] The commissioner, in addition to other remedies provided for violations of this chapter, shall forbid use of bleachers not in compliance with this section consistent with priorities established in rule.

Subd. 6. [PERIODIC INSPECTIONS.] At a minimum, bleacher footboards and guardrails must be reinspected every five years and a structural inspection must be made every ten years. Nothing in this section precludes a municipal authority from establishing additional reinspections pursuant to the State Building Code. Inspections can be completed in the same manner as provided in subdivision 4.

Sec. 2. Minnesota Statutes 1998, section 16B.72, is amended to read:

16B.72 [REFERENDA ON STATE BUILDING CODE IN NONMETROPOLITAN COUNTIES.]

Notwithstanding any other provision of law to the contrary, a county that is not a metropolitan county as defined by section 473.121, subdivision 4, may provide, by a vote of the majority of its electors residing outside of municipalities that have adopted the State Building Code before January 1, 1977, that no part of the State Building Code except the building requirements for handicapped persons, the requirements for bleacher safety, and the requirements for elevator safety applies within its jurisdiction.

The county board may submit to the voters at a regular or special election the question of adopting the building code. The county board shall submit the question to the voters if it receives a petition for the question signed by a number of voters equal to at least five percent of those voting in the last general election. The question on the ballot must be stated substantially as follows:

"Shall the State Building Code be adopted in County?"

If the majority of the votes cast on the proposition is in the negative, the State Building Code does not apply in the subject county, outside home rule charter or statutory cities or towns that adopted the building code before January 1, 1977, except the building requirements for handicapped persons, the requirements for bleacher safety, and the requirements for elevator safety do apply.

Nothing in this section precludes a municipality or town that has not adopted the State Building Code from adopting and enforcing by ordinance or other legal means the State Building Code within its jurisdiction.

Sec. 3. Minnesota Statutes 1998, section 16B.73, is amended to read:

16B.73 [STATE BUILDING CODE IN MUNICIPALITIES UNDER 2,500; LOCAL OPTION.]

The governing body of a municipality whose population is less than 2,500 may provide that the State Building Code, except the requirements for handicapped persons, the requirements for bleacher safety, and the requirements for elevator safety, will not apply within the jurisdiction of the municipality, if the municipality is located in whole or in part within a county exempted from its application under section 16B.72. If more than one municipality has jurisdiction over an area, the State Building Code continues to apply unless all municipalities having jurisdiction over the area have provided that the State Building Code, except the requirements for handicapped persons, the requirements for bleacher safety, and the requirements for elevator safety, does not apply within their respective jurisdictions. Nothing in this section precludes a municipality or town from adopting and enforcing by ordinance or other legal means the State Building Code within its jurisdiction.

Sec. 4. Minnesota Statutes 1998, section 240A.09, is amended to read:

240A.09 [PLAN DEVELOPMENT; CRITERIA.]

The Minnesota amateur sports commission shall develop a plan to promote the development of proposals for new statewide public ice facilities including proposals for ice centers and matching grants based on the criteria in this section.

(a) For ice center proposals, the commission will give priority to proposals that come from more than one local government unit.

(b) In the metropolitan area as defined in section 473.121, subdivision 2, the commission is encouraged to give priority to the following proposals:

(1) proposals for construction of two or more ice sheets in a single new facility;

- (2) proposals for construction of an additional sheet of ice at an existing ice center;
- (3) proposals for construction of a new, single sheet of ice as part of a sports complex with multiple sports facilities; and
- (4) proposals for construction of a new, single sheet of ice that will be expanded to a two-sheet facility in the future.
- (c) The commission shall administer a site selection process for the ice centers. The commission shall invite proposals from cities or counties or consortia of cities. A proposal for an ice center must include matching contributions including in-kind contributions of land, access roadways and access roadway improvements, and necessary utility services, landscaping, and parking.
- (d) Proposals for ice centers and matching grants must provide for meeting the demand for ice time for female groups by offering up to 50 percent of prime ice time, as needed, to female groups. For purposes of this section, prime ice time means the hours of 4:00 p.m. to 10:00 p.m. Monday to Friday and 9:00 a.m. to 8:00 p.m. on Saturdays and Sundays.
- (e) The location for all proposed facilities must be in areas of maximum demonstrated interest and must maximize accessibility to an arterial highway.
- (f) To the extent possible, all proposed facilities must be dispersed equitably, must be located to maximize potential for full utilization and profitable operation, and must accommodate noncompetitive family and community skating for all ages.
- (g) The commission may also use the funds to upgrade current facilities, purchase girls' ice time, or conduct amateur women's hockey and other ice sport tournaments.
- (h) To the extent possible, 50 percent of all grants must be awarded to communities in greater Minnesota.
- (i) To the extent possible, technical assistance shall be provided to Minnesota communities by the commission on ice arena planning, design, and operation, including the marketing of ice time.
- (j) The commission may use funds for rehabilitation and renovation grants. Priority must be given to grant applications for indoor air quality improvements, including zero emission ice resurfacing equipment.
- (k) Grant funds may be used for ice centers designed for sports other than hockey.
- (l) Grant funds may be used to upgrade current facilities so they are in compliance with the bleacher safety requirements of section 16B.616.

Sec. 5. [325F.015] [UNSAFE BLEACHERS.]

Subdivision 1. [BLEACHER BAN.] No person shall manufacture, sell, distribute, or install bleachers within Minnesota that are not in compliance with section 16B.616. For purposes of this section, "person" means an individual, public or private entity, however organized, or a unit of state or local government.

Subd. 2. [PENALTY.] Any person who violates this section shall be subject to a civil penalty of \$500 for each violation.

Sec. 6. [APPROPRIATION.]

\$500,000 is appropriated from the general fund to the commissioner of administration to help the commissioner achieve compliance with the bleacher safety requirements of Minnesota Statutes, section 16B.616, and for the purpose of making grants to publicly owned places of public accommodation to assist them in achieving compliance

with the bleacher safety requirements of Minnesota Statutes, section 16B.616. The commissioner shall transfer money to the Minnesota amateur sports commission to make grants under this section. The Minnesota amateur sports commission shall give highest priority to grant requests from political subdivisions for whom the cost of compliance is the greatest financial hardship. State grants are available when the Minnesota amateur sports commission has determined matching funds in an amount equal to the grant have been committed. This is a one-time appropriation and is available until June 30, 2001.

Sec. 7. [CONSTRUCTION.]

Notwithstanding Minnesota Statutes, section 645.26 or other law to the contrary, section 6 of this act prevails over any irreconcilable provision passed in the same legislative session that appropriates money for the purpose of making grants to achieve compliance with bleacher safety requirements.

Sec. 8. [EFFECTIVE DATE.]

Sections 1, 2, 3, and 5 are effective January 1, 2001, except the provisions governing manufacture, sale, installation, or distribution of new bleachers are effective July 1, 1999."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Munger was excused for the remainder of today's session.

Juhnke offered an amendment to H. F. No. 1124, the second engrossment, as amended.

POINT OF ORDER

Reuter raised a point of order pursuant to rule 4.03 relating to Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills that the Juhnke amendment was not in order. Speaker pro tempore Boudreau ruled the point of order well taken and the Juhnke amendment out of order.

Tomassoni appealed the decision of Speaker pro tempore Boudreau.

A roll call was requested and properly seconded.

CALL OF THE HOUSE

On the motion of Ozment and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeler	Boudreau	Carruthers	Davids	Dorn	Fuller
Anderson, B.	Bradley	Cassell	Dawkins	Entenza	Gerlach
Bakk	Broecker	Chaudhary	Dehler	Erhardt	Gleason
Biernat	Buesgens	Clark, J.	Dempsey	Erickson	Godno
Bishop	Carlson	Daggett	Dorman	Finseth	Gray

Greenfield	Kalis	Mahoney	Orfield	Seagren	Tunheim
Greiling	Kelliher	Mares	Osskopp	Seifert, J.	Van Dellen
Gunther	Kielkucki	Mariani	Osthoff	Seifert, M.	Vandever
Haas	Knoblach	Marko	Otremba	Skoe	Wagenius
Hackbarth	Koskinen	McCollum	Ozment	Skoglund	Wejcmán
Harder	Krinkie	McElroy	Pawlenty	Smith	Wenzel
Hasskamp	Kubly	McGuire	Paymar	Solberg	Westerberg
Hausman	Kuisle	Milbert	Pelowski	Stanek	Westfall
Hilty	Larsen, P.	Molnau	Peterson	Stang	Westrom
Holberg	Larson, D.	Mulder	Pugh	Storm	Wilkin
Howes	Leighton	Mullery	Rest	Swenson	Winter
Huntley	Lenczewski	Murphy	Reuter	Sykora	Wolf
Jaros	Leppik	Ness	Rifenberg	Tingelstad	Workman
Jennings	Lieder	Nornes	Rostberg	Tomassoni	Spk. Sviggum
Juhnke	Lindner	Olson	Rukavina	Trimble	
Kahn	Luther	Opatz	Schumacher	Tuma	

Pawlenty moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The Speaker resumed the Chair.

LAY ON THE TABLE

Molnau moved to lay the Tomassoni appeal of the decision of Speaker pro tempore Boudreau on the table.

A roll call was requested and properly seconded.

The question was taken on the Molnau motion and the roll was called.

McElroy moved that those not voting be excused from voting. The motion prevailed.

There were 69 yeas and 56 nays as follows:

Those who voted in the affirmative were:

Abeler	Dehler	Hackbarth	Mares	Rostberg	Van Dellen
Abrams	Dempsey	Harder	McElroy	Seagren	Vandever
Anderson, B.	Dorman	Holberg	Molnau	Seifert, J.	Westerberg
Bishop	Erhardt	Holsten	Mulder	Seifert, M.	Westfall
Boudreau	Erickson	Howes	Ness	Smith	Westrom
Bradley	Finseth	Kielkucki	Nornes	Stanek	Wilkin
Broecker	Fuller	Knoblach	Olson	Stang	Wolf
Buesgens	Gerlach	Krinkie	Osskopp	Storm	Workman
Cassell	Goodno	Kuisle	Ozment	Swenson	Spk. Sviggum
Clark, J.	Gunther	Larsen, P.	Pawlenty	Sykora	
Daggett	Haake	Leppik	Reuter	Tingelstad	
Davids	Haas	Lindner	Rifenberg	Tuma	

Those who voted in the negative were:

Bakk	Greiling	Kelliher	Marko	Pelowski	Trimble
Biernat	Hasskamp	Koskinen	McCollum	Peterson	Tunheim
Carlson	Hausman	Kubly	McGuire	Pugh	Wagenius
Carruthers	Hilty	Larson, D.	Milbert	Rest	Wejcman
Chaudhary	Huntley	Leighton	Mullery	Rukavina	Wenzel
Dorn	Jaros	Lenczewski	Murphy	Schumacher	Winter
Entenza	Jennings	Lieder	Opatz	Skoe	
Gleason	Juhnke	Luther	Orfield	Skoglund	
Gray	Kahn	Mahoney	Otremba	Solberg	
Greenfield	Kalis	Mariani	Paymar	Tomassoni	

The motion prevailed and the appeal of the decision of Speaker pro tempore Boudreau was laid on the table.

CALL OF THE HOUSE LIFTED

Reuter moved that the call of the House be suspended. The motion prevailed and it was so ordered.

Dorman, Westrom and Olson moved to amend H. F. No. 1124, the second engrossment, as amended, as follows:

Page 3, after line 10, insert:

"Subd. 7. [EXISTING BLEACHERS.] Bleachers already in existence on the effective date of this act that limit children under the age of 10 to sitting in the first three rows need not comply with any increased requirements in this act."

A roll call was requested and properly seconded.

Westrom moved to amend the Dorman et al amendment to H. F. No. 1124, the second engrossment, as amended, as follows:

Page 1, line 5, after "act" insert "that have signs"

The motion prevailed and the amendment to the amendment was adopted.

The Speaker called Boudreau to the Chair.

The question recurred on the Dorman et al amendment, as amended, and the roll was called. There were 72 yeas and 56 nays as follows:

Those who voted in the affirmative were:

Abrams	Boudreau	Carlson	Daggett	Dempsey	Erhardt
Anderson, B.	Broecker	Cassell	Davids	Dorman	Finseth
Bishop	Buesgens	Clark, J.	Dehler	Dorn	Fuller

Gerlach	Holsten	Larsen, P.	Nornes	Rostberg	Van Dellen
Goodno	Juhnke	Lindner	Olson	Schumacher	Vandever
Greiling	Kahn	Mahoney	Osskopp	Seifert, M.	Wenzel
Gunther	Kalis	Mares	Ozment	Stanek	Westerberg
Haake	Kielkucki	McElroy	Pawlenty	Stang	Westfall
Haas	Knobloch	Molnau	Pelowski	Storm	Westrom
Harder	Krinkie	Mulder	Peterson	Swenson	Wilkin
Hasskamp	Kubly	Murphy	Reuter	Tingelstad	Wolf
Holberg	Kuisle	Ness	Rifenberg	Tuma	Spk. Sviggum

Those who voted in the negative were:

Abeler	Gleason	Kelliher	McCollum	Rest	Trimble
Anderson, I.	Gray	Koskinen	McGuire	Rukavina	Tunheim
Bakk	Greenfield	Larson, D.	Milbert	Seagren	Wagenius
Biernat	Hackbarth	Leighton	Mullery	Seifert, J.	Wejcmán
Bradley	Hausman	Lenczewski	Opatz	Skoe	Winter
Carruthers	Hilty	Leppik	Orfield	Skoglund	Workman
Chaudhary	Howes	Lieder	Osthoff	Smith	
Dawkins	Huntley	Luther	Otremba	Solberg	
Entenza	Jaros	Mariani	Paymar	Sykora	
Erickson	Jennings	Marko	Pugh	Tomassoni	

The motion prevailed and the amendment, as amended, was adopted.

Bradley, Ness, Davids and Boudreau moved to amend H. F. No. 1124, the second engrossment, as amended, as follows:

Page 1, line 18, delete "30" and insert "60"

The motion prevailed and the amendment was adopted.

Trimble, McCollum, Mahoney, Peterson, Tomassoni and Juhnke moved to amend H. F. No. 1124, the second engrossment, as amended, as follows:

Page 6, line 35, delete everything after the period

Page 6, delete line 36

Page 7, line 1, delete everything before "This"

A roll call was requested and properly seconded.

The question was taken on the Trimble et al amendment and the roll was called. There were 55 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Carlson	Clark, K.	Gleason	Greiling	Hausman
Bakk	Carruthers	Dawkins	Gray	Haake	Hilty
Biernat	Chaudhary	Entenza	Greenfield	Hasskamp	Huntley

Jaros	Leighton	McGuire	Pelowski	Skoglund	Wenzel
Jennings	Lenczewski	Mullery	Peterson	Solberg	Winter
Juhnke	Lieder	Opatz	Pugh	Tingelstad	
Kelliher	Mahoney	Orfield	Rest	Tomassoni	
Koskinen	Mariani	Osthoff	Rukavina	Trimble	
Krinkie	Marko	Otremba	Schumacher	Wagenius	
Kubly	McCollum	Paymar	Skoe	Wejzman	

Those who voted in the negative were:

Abeler	Dempsey	Holsten	McElroy	Rostberg	Vandever
Abrams	Dorman	Howes	Milbert	Seagren	Westerberg
Anderson, B.	Erhardt	Kahn	Molnau	Seifert, J.	Westfall
Bishop	Erickson	Kalis	Mulder	Seifert, M.	Westrom
Boudreau	Finseth	Kielkucki	Murphy	Smith	Wilkin
Bradley	Fuller	Knoblach	Ness	Stanek	Wolf
Broecker	Gerlach	Kuisle	Nornes	Stang	Workman
Buesgens	Goodno	Larsen, P.	Olson	Storm	Spk. Sviggum
Cassell	Gunther	Larson, D.	Osskopp	Swenson	
Clark, J.	Haas	Leppik	Ozment	Sykora	
Daggett	Hackbarth	Lindner	Pawlenty	Tuma	
Davids	Harder	Luther	Reuter	Tunheim	
Dehler	Holberg	Mares	Rifenberg	Van Dellen	

The motion did not prevail and the amendment was not adopted.

H. F. No. 1124, A bill for an act relating to public safety; requiring bleacher safety; providing penalties; appropriating money; amending Minnesota Statutes 1998, sections 16B.72; 16B.73; and 240A.09; proposing coding for new law in Minnesota Statutes, chapters 16B; and 325F.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 115 yeas and 14 nays as follows:

Those who voted in the affirmative were:

Abeler	Davids	Gunther	Koskinen	McGuire	Pugh
Abrams	Dawkins	Haake	Kubly	Milbert	Rest
Anderson, B.	Dehler	Haas	Kuisle	Molnau	Rifenberg
Anderson, I.	Dempsey	Hackbarth	Larsen, P.	Mullery	Rostberg
Bakk	Dorman	Harder	Larson, D.	Murphy	Rukavina
Bishop	Dorn	Haskamp	Leighton	Ness	Schumacher
Boudreau	Entenza	Hausman	Lenczewski	Opatz	Seagren
Bradley	Erhardt	Hilty	Leppik	Orfield	Seifert, J.
Broecker	Erickson	Holberg	Lieder	Osskopp	Skoe
Carlson	Finseth	Holsten	Luther	Osthoff	Skoglund
Carruthers	Fuller	Howes	Mahoney	Otremba	Smith
Cassell	Gleason	Juhnke	Mares	Ozment	Solberg
Chaudhary	Goodno	Kahn	Mariani	Pawlenty	Stanek
Clark, J.	Gray	Kelliher	Marko	Paymar	Stang
Clark, K.	Greenfield	Kielkucki	McCollum	Pelowski	Storm
Daggett	Greiling	Knoblach	McElroy	Peterson	Swenson

Sykora	Tuma	Wagenius	Westfall	Wolf
Tingelstad	Tunheim	Wejcman	Westrom	Workman
Tomassoni	Van Dellen	Wenzel	Wilkin	Spk. Sviggum
Trimble	Vanderveer	Westerberg	Winter	

Those who voted in the negative were:

Biernat	Huntley	Kalis	Mulder	Reuter
Buesgens	Jaros	Krinkie	Nornes	Seifert, M.
Gerlach	Jennings	Lindner	Olson	

The bill was passed, as amended, and its title agreed to.

There being no objection, the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Bishop from the Committee on Ways and Means to which was referred:

H. F. No. 176, A bill for an act relating to retirement; public employees retirement association; creating a local government correctional service retirement plan; modifying actuarial cost provision; providing a special property tax levy for certain county retirement contributions; amending Minnesota Statutes 1998, sections 3.85, subdivisions 11 and 12; 273.1385, subdivision 2; 275.70, subdivision 5; 353.27, subdivisions 2 and 3; 356.19, by adding a subdivision; 356.20, subdivision 2; 356.30, subdivision 3; 356.302, subdivision 7; and 356.303, subdivision 4; proposing coding for new law as Minnesota Statutes, chapter 353E; repealing Minnesota Statutes 1998, section 353.33, subdivision 3a.

Reported the same back with the following amendments:

Page 12, line 33, delete "50" and insert "47.5"

With the recommendation that when so amended the bill pass.

The report was adopted.

Bishop from the Committee on Ways and Means to which was referred:

H. F. No. 595, A bill for an act relating to economic development; imposing a specific standard of proof for certain petrofund reimbursement reductions; providing reimbursement for certain bulk petroleum plants upgrading or closing aboveground storage tanks; regulating the cleanup of contaminated land; modifying the application of the Uniform Fire Code to aboveground tanks; amending Minnesota Statutes 1998, sections 115C.08, subdivision 4; 115C.09, subdivision 3, and by adding a subdivision; 116J.562, subdivision 2; and 116J.567; proposing coding for new law in Minnesota Statutes, chapter 299F.

Reported the same back with the following amendments:

Page 8, after line 10, insert:

"Sec. 7. [UNDERGROUND TANKS ON FARMS.]

An owner or operator of a registered underground storage tank located on a farm in the state who fails to remove the underground storage tank in compliance with the requirements of Minnesota Rules, chapter 7150, before December 22, 2000, shall not be subject to any penalties under state law for failure to comply with the removal requirements of Minnesota Rules, chapter 7150, with regard to a tank located on a farm.

Sec. 8. [APPROPRIATION.]

\$4,500,000 is appropriated from the general fund in fiscal year 2000 to the commissioner of finance for a grant to the port authority of the city of St. Paul for purposes of acquiring the Maxson Steel site located in the city of St. Paul, for associated relocation costs, and for purposes of demolition of existing structures, environmental remediation, and correction of unstable soils at the Maxson Steel site. This appropriation is contingent upon the city of St. Paul committing at least \$1,000,000 to provide funding for the redevelopment of housing on property immediately adjacent to the Maxson Steel site."

Page 8, line 12, delete "6" and insert "7"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, after the semicolon, insert "providing a regulatory exception for underground tanks on farms; appropriating money;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Bishop from the Committee on Ways and Means to which was referred:

H. F. No. 1077, A bill for an act relating to retirement; various statewide and local pension plans; providing special benefit coverage for privatized employees of the Luverne public hospital and the Waconia Ridgeview medical center; providing an ad hoc postretirement adjustment to Eveleth police and fire trust fund benefit recipients; establishing an additional postretirement adjustment for the Fairmont police relief association; extending survivor benefit provisions to include certain Fairmont police relief association survivors; providing a special ad hoc postretirement adjustment to certain retired St. Cloud police officers; authorizing the purchase of credit for certain periods of prior military service, out-of-state public school teaching service, maternity leaves, maternity breaks in employment, parochial and private school teaching service, Peace Corps service, VISTA service, and charter school teaching service; authorizing service credit purchases by certain plan members; authorizing the designation of a supplemental needs trust as an optional annuity form beneficiary; repealing the 30-year service maximum for monthly benefit volunteer firefighter relief associations; providing special benefit coverage for privatized Glencoe area health center employees; modifying governance provisions for the Minneapolis fire department relief association and the Minneapolis police relief association; permitting the purchase of service credit by various school district employees; amending Minnesota Statutes 1998, sections 356.55, subdivisions 1 and 6; and 423B.07; Laws 1977, chapter 61, section 6, as amended; proposing coding for new law in Minnesota Statutes, chapters 354; 354A; and 356; repealing Minnesota Statutes 1998, section 424A.02, subdivision 5; Laws 1998, chapter 390, article 1, section 1.

Reported the same back with the following amendments:

Pages 1 to 8, delete articles 1 and 2 and insert:

"ARTICLE 1

FUTURE PERA PENSION BENEFITS FOR
PRIVATIZED PUBLIC HOSPITAL EMPLOYEES

Section 1. [353F.01] [PURPOSE AND INTENT.]

The purpose of this chapter is to ensure, to the extent possible, that persons employed at public medical facilities who are privatized and consequently are excluded from retirement coverage by the public employees retirement association will be entitled to receive future retirement benefits under the general employees retirement plan of the public employees retirement association commensurate with the prior contributions made by them or made on their behalf upon the privatization of the medical facility.

Sec. 2. [353F.02] [DEFINITIONS.]

Subdivision 1. [GENERALLY.] As used in this chapter, unless the context clearly indicates otherwise, each of the terms in the following subdivisions has the meaning indicated.

Subd. 2. [ALLOWABLE SERVICE.] "Allowable service" has the meaning provided in section 353.01, subdivision 16, of the edition of Minnesota Statutes published in the year before the year in which the privatization occurred.

Subd. 3. [EFFECTIVE DATE.] "Effective date" means the date that the operation of the medical facility is assumed by another employer or the date that the medical facility is purchased by another employer and active membership in the public employees retirement association consequently terminates.

Subd. 4. [MEDICAL FACILITY.] "Medical facility" means:

- (1) the Glencoe area health center;
- (2) the Luverne public hospital; and
- (3) the Waconia-Ridgeview medical center.

Subd. 5. [TERMINATED MEDICAL FACILITY EMPLOYEE.] "Terminated medical facility employee" means a person who:

- (1) was employed on the day before the effective date by the medical facility; or
- (2) terminated employment with the medical facility on the day before the effective date; and
- (3) was a participant in the general employees retirement plan of the public employees retirement association at the time of termination of employment with the medical facility.

Subd. 6. [YEARS OF ALLOWABLE SERVICE.] "Years of allowable service" means the total number of years of allowable service under section 353.01, subdivision 18, of the edition of Minnesota Statutes published in the year before the year in which the privatization occurred.

Sec. 3. [353F.03] [VESTING RULE FOR CERTAIN EMPLOYEES.]

Notwithstanding any provision of chapter 353 to the contrary, a terminated medical facility employee is eligible to receive a retirement annuity under section 353.29 of the edition of Minnesota Statutes published in the year before the year in which the privatization occurred, without regard to the requirement for three years of allowable service.

Sec. 4. [353F.04] [AUGMENTATION INTEREST RATE FOR TERMINATED MEDICAL FACILITY EMPLOYEES.]

The deferred annuity of a terminated medical facility employee is subject to augmentation in accordance with section 353.71, subdivision 2, of the edition of Minnesota Statutes published in the year in which the privatization occurred, except that the rate of interest for this purpose is 5.5 percent compounded annually until January 1 following the year in which such person attains age 55. From that date to the effective date of retirement, the rate is 7.5 percent. These increased augmentation rates are no longer applicable for any time after the terminated medical facility employee becomes covered again by a retirement fund enumerated in section 356.30, subdivision 3. These increased deferred annuity augmentation rates do not apply to a terminated transferred medical facility employee who begins receipt of a retirement annuity while employed by the employer which assumed operations of the medical facility or purchased the medical facility.

Sec. 5. [353F.05] [AUTHORIZATION FOR ADDITIONAL ALLOWABLE SERVICE FOR CERTAIN EARLY RETIREMENT PURPOSES.]

For the purpose of determining eligibility for early retirement benefits provided under section 353.30, subdivision 1a, of the edition of Minnesota Statutes published in the year before the year in which the privatization occurred, and notwithstanding any provision of chapter 353 to the contrary, the years of allowable service for a terminated medical facility employee who transfers employment on the effective date and does not apply for a refund of contributions under section 353.34, subdivision 1, of the edition of Minnesota Statutes published in the year before the year in which the privatization occurred, or any similar provision, includes service with the successor employer to the medical facility following the effective date. The successor employer shall provide any reports that the executive director of the public employees retirement association may reasonably request to permit calculation of benefits.

To be eligible for early retirement benefits under this section, the individual must separate from service with the successor employer to the medical facility. The terminated eligible individual, or an individual authorized to act on behalf of that individual, may apply for an annuity following application procedures under section 353.29, subdivision 4.

Sec. 6. [353F.06] [APPLICATION OF REEMPLOYED ANNUITANT EARNINGS LIMITATIONS.]

The reemployed annuitant earnings limitations of section 353.37 apply to any service by a terminated medical facility employee as an employee of the successor employer to the medical facility.

Sec. 7. [353F.07] [EFFECT ON REFUND.]

Notwithstanding any provision of chapter 353 to the contrary, terminated medical facility employees may receive a refund of employee accumulated contributions plus interest at the rate of six percent per year compounded annually in accordance with section 353.34, subdivision 2, of the edition of Minnesota Statutes published in the year in which the privatization occurred, at any time after the transfer of employment to the successor employer to the medical facility. If a terminated medical facility employee has received a refund from a pension plan enumerated in section 356.30, subdivision 3, the person may not repay that refund unless the person again becomes a member of one of those enumerated plans and complies with section 356.30, subdivision 2.

Sec. 8. [353F.08] [COUNSELING SERVICES.]

The medical facility and the executive director of the public employees retirement association shall provide terminated medical facility employees with counseling on their benefits available under the general employees retirement plan of the public employees retirement association during the 90 days following privatization.

Sec. 9. [EFFECTIVE DATE.]

Sections 1 to 8 are effective on the day following final enactment."

Page 9, line 1, after "(a)" insert "If the requirement of paragraph (f) is met,"

Page 9, line 15, delete "board of trustees" and insert "chief administrative officer"

Page 9, line 34, delete "and" and insert "to the special fund of the relief association."

Page 10, line 2, delete "secretary" and insert "chief administrative officer"

Page 10, line 7, after "made" insert "in a given year"

Page 10, line 15, before "The" insert "(a)"

Page 10, after line 17, insert:

"(b) Any surviving spouse benefit increase under this section is first payable on the first day of the month next following the effective date of this section."

Page 12, lines 8 and 36, after the period, insert "Payment must be made before the teacher's effective date of retirement."

Page 13, line 29, after the period, insert "Payment must be made before the teacher's effective date of retirement."

Page 14, line 19, after the period, insert "Payment must be made before the teacher's effective date of retirement."

Page 15, lines 7 and 33, after the period, insert "Payment must be made before the teacher's effective date of retirement."

Page 16, line 27, after the period, insert "Payment must be made before the teacher's effective date of retirement."

Page 17, line 20, after the period, insert "Payment must be made before the teacher's effective date of retirement."

Page 18, line 14, after the period, insert "Payment must be made before the teacher's effective date of retirement."

Page 19, lines 4 and 28, after the period, insert "Payment must be made before the teacher's effective date of retirement."

Page 19, line 17, delete "356.53" and insert "356.55"

Page 20, line 17, after the period, insert "Payment must be made before the teacher's effective date of retirement."

Page 21, line 32, before "Sections" insert "(a)" and after the period, insert "Section 15 is effective August 1, 1999."

(b) A teacher who retires on or before May 16, 1999, is not eligible to purchase service credit under the provisions of this article. A teacher who has rendered teaching service after May 16, 1999, and who has filed an application for retirement that is effective on or before July 1, 1999, may purchase service credit under this article on or before September 1, 1999, notwithstanding that the person is not a teacher rendering active teaching service on the date of the payment. Payment must be received on or before September 1, 1999. If this payment is received on or after the effective date of retirement, the increased benefit resulting from the purchase is effective on the first day of the month following the month during which payment is received."

Page 22, line 25, delete "January" and insert "July"

Page 23, line 1, after "TEACHER" insert "; PRIOR SERVICE CREDIT PURCHASE"

Page 24, line 18, delete "TEACHERS RETIREMENT ASSOCIATION" and insert "HOPKINS SCHOOL DISTRICT"

Page 24, lines 21 and 33, delete "274" and insert "270"

Page 25, line 6, delete "274" and insert "270"

Pages 30 to 33, delete article 8

Page 34, after line 25, insert:

"Section 1. Minnesota Statutes 1998, section 354.66, subdivision 5, is amended to read:

Subd. 5. [OTHER MEMBERSHIP PRECLUDED.] A teacher entitled to full accrual of allowable service credit and employee contributions for part time teaching service pursuant to this section shall not be entitled during the same period of time to be a member of, accrue allowable service credit in or make employee contributions to any other Minnesota public employee pension plan, except the plan established in chapter 3A or a volunteer firefighters' relief association governed by sections 69.771 to 69.776."

Page 34, line 27, after "CREDIT" insert "BY RUSH CITY SCHOOL DISTRICT EMPLOYEE"

Page 37, line 4, after "PERIOD" insert "BY VIRGINIA TEACHER"

Page 37, line 26, delete "1 to 3" and insert "2 to 4"

Renumber the articles in sequence

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete everything after the semicolon

Page 1, delete line 4

Page 1, line 5, delete everything before the semicolon, and insert "providing future PERA pension benefits for privatized public hospital employees"

Page 1, delete line 24

Page 1, line 25, delete everything before "modifying"

Page 1, line 30, after "sections" insert "354.66, subdivision 5;"

Page 1, line 34, after "356;" insert "proposing coding for new law as Minnesota Statutes, chapter 353F;"

Page 1, line 35, delete everything after "5"

Page 1, line 36, delete everything before the period

With the recommendation that when so amended the bill pass.

The report was adopted.

Bishop from the Committee on Ways and Means to which was referred:

H. F. No. 1180, A bill for an act relating to retirement; various public pension plans; expanding the membership of the state correctional employees retirement plan to include certain Minnesota extended treatment options program employees; downsizing the early retirement reduction rates for various public safety plans; grandparenting public employee police and fire plan coverage for certain Rice county correctional employees; requiring Rice county to repay certain police state aid amounts; providing employer penalties for pension plan membership certification failures or errors; providing special retirement coverage for certain state fire marshal employees; requiring a study; clarifying various Minneapolis employees retirement plan survivor benefit provisions; increasing the number of vendors for certain tax-sheltered annuities for educational employees; modifying various benefit provisions for certain Minnesota state college and university system employees; authorizing the establishment of volunteer rescue squad relief associations by Kandiyohi county and the city of Litchfield; merging the pre-March 1, 1999, local police and paid fire consolidation accounts into the public employees police and fire plan; extending the minimum volunteer firefighter fire state aid amount to post-1993 relief association members; providing a targeted early retirement incentive program for certain employees of the metropolitan council; making miscellaneous changes in the legislators retirement plan, the Minnesota state college and university system individual retirement account plan, the Minnesota state retirement system, and the teachers retirement association; reducing the membership of the legislative commission on pensions and retirement; amending Minnesota Statutes 1998, sections 3.85, subdivisions 3 and 12; 3A.02, subdivision 1b; 43A.27, subdivision 3; 69.021, subdivisions 7 and 10; 69.031, subdivision 5; 122A.46, subdivision 2; 136F.48; 352.03, subdivision 1; 352.90; 352.91, by adding a subdivision; 353.01, subdivisions 2b, 10, and 16; 353.03, subdivision 4; 353.64, subdivision 1; 353.65, subdivisions 2 and 3; 353.651, subdivision 4; 353A.083, by adding a subdivision; 353A.09, subdivisions 4 and 5; 353D.01, subdivision 2; 353D.02, by adding a subdivision; 353D.03, subdivision 3; 354.05, subdivision 40; 354.06, subdivisions 1 and 7; 354.10, subdivision 4; 354.445; 354.66, subdivisions 1b, 1c, and 3; 354B.24, subdivision 3; 354B.25, subdivisions 2, 3, and 5; 354C.11; 354C.12, subdivision 4; 356.19, by adding a subdivision; 356.215, subdivision 4g; 356.24, subdivision 1; 422A.06, subdivisions 3 and 6; 422A.101, subdivision 4; 422A.18, subdivision 2; 422A.22, subdivisions 4 and 5; 422A.23; and 423A.02, subdivisions 1b, 2, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 352; 353; 354B; 356; and 422A; repealing Minnesota Statutes 1998, sections 353.65, subdivision 3a; and 422A.16, subdivision 3a.

Reported the same back with the following amendments:

Page 64, line 28, after "1999" insert "; and the accrued benefits of the members are the obligation of the public employees police and fire fund"

Page 65, line 24, delete everything after "plan"

Page 65, line 25, delete everything before "as"

Page 66, line 17, delete everything after "plan"

Page 66, delete line 18

Page 66, line 26, delete "in effect on"

Page 66, delete line 27

Page 66, line 28, delete everything before "as"

Page 67, line 7, delete everything after "plan"

Page 67, delete line 8

Page 67, line 9, delete everything before "as"

Page 70, line 18, delete "on December 31" and insert "during the month of January, without any interest, or if made after January 31, but before the next following December 31, is payable with interest for the period since January 1 at a rate which is equal to the preretirement interest rate assumption specified in section 356.215, subdivision 4d, applicable to the fund expressed as a monthly rate and compounded on a monthly basis or if made after December 31 of the year in which the additional municipal contribution is due is payable with interest at a rate which is four percent greater than the highest interest rate assumption specified in section 356.215, subdivision 4d, expressed as a monthly rate and compounded monthly from January 1 of the year in which the additional municipal contribution is due until the date on which payment is made."

Page 70, delete lines 19 to 21

Page 71, line 2, after "terminated" insert ", and all benefits accrued up to the date of termination are the obligation of the public employees police and fire fund"

Page 73, after line 31, insert:

"Sec. 13. Minnesota Statutes 1998, section 353A.09, is amended by adding a subdivision to read:

Subd. 5a. [AUTHORITY TO MODIFY CONTRIBUTION RATES.] (a) Notwithstanding subdivisions 4 and 5, a municipality associated with a consolidation account, with municipal governing body approval, may implement the contribution rates specified in section 353.65, subdivisions 2 and 3, rather than the rates specified in subdivisions 4 and 5.

(b) If the contribution rates specified in section 353.65, subdivisions 2 and 3, are subsequently modified, the applicable municipal governing body must approve that subsequent modification.

(c) The municipal governing body approval must be in the form of a municipal resolution. The municipal resolution must specify the effective date for the contribution rate modification. The municipal resolution must be filed with the executive director of the public employees retirement association, the state auditor, the secretary of state, and the executive director of the legislative commission on pensions and retirement.

Page 79, line 12, after "(e)" insert "Additional amortization state aid payable to the public employees retirement association on behalf of a municipality must be credited by the executive director of the public employees retirement association against any additional municipal contribution to which the applicable municipality is obligated to make under section 353A.09, subdivision 5, or section 353.665, subdivision 8.

(f)"

Page 82, line 5, delete "14" and insert "15"

Page 82, line 6, delete "13" and insert "14"

Renumber the sections in sequence

Correct internal crossreferences

Amend the title as follows:

Page 1, line 44, delete "and 5" and insert ", 5, and by adding a subdivision"

With the recommendation that when so amended the bill pass.

The report was adopted.

Bishop from the Committee on Ways and Means to which was referred:

H. F. No. 2127, A bill for an act relating to public administration; imposing and modifying conditions and limitations on the use of public debt; providing for the Dakota county community development agency and the Cuyuna Range joint powers economic development authority; reenacting certain provisions relating to taxes, abatements, and tax increments; clarifying the treatment of property of certain limited liability companies for certain property tax exemption purposes; amending Minnesota Statutes 1998, sections 126C.55, subdivision 7; 272.02, by adding a subdivision; 383D.41, subdivisions 1, 2, 3, and by adding subdivisions; 473.39, by adding a subdivision; 475.56; and 475.60, subdivisions 1 and 3.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Bishop from the Committee on Ways and Means to which was referred:

S. F. No. 1485, A bill for an act relating to professions; modifying provisions of the board of architecture, engineering, land surveying, landscape architecture, geoscience, and interior design relating to fees and continuing education; increasing penalties; amending Minnesota Statutes 1998, section 326.111, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 326; repealing Minnesota Rules, part 1800.0500, subpart 3.

Reported the same back with the following amendments:

Page 1, delete section 1

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "fees and"

With the recommendation that when so amended the bill pass.

The report was adopted.

Bishop from the Committee on Ways and Means to which was referred:

S. F. No. 1572, A bill for an act relating to natural resources; modifying provisions for the exchange or sale of leased lakeshore lots; amending Laws 1998, chapter 389, article 16, section 31, subdivisions 2, 3, and 4.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Bishop from the Committee on Ways and Means to which was referred:

S. F. No. 1636, A bill for an act relating to governmental operations; providing for regulatory relief for local units of government; proposing coding for new law in Minnesota Statutes, chapter 14.

Reported the same back with the following amendments:

Page 2, line 12, delete everything after the period

Page 2, delete line 13 and insert "The"

Page 2, line 14, delete "other" and insert "any" and delete "persons" and insert "person, at the option of any of them, may submit written material for the assigned administrative law judge's consideration"

Page 2, line 15, before "receipt" insert "the chief administrative law judge's"

Page 2, delete lines 33 and 34

Page 2, line 35, delete everything before "If"

With the recommendation that when so amended the bill pass.

The report was adopted.

Bishop from the Committee on Ways and Means to which was referred:

S. F. No. 1721, A bill for an act relating to public employees; ratifying certain labor agreements and compensation plans; providing for transfer of vacation and sick leave for certain employees; modifying per diem provision for special mediators; modifying procedures for the listing of arbitrators; exempting epidemiologists from a salary cap; making technical changes; amending Minnesota Statutes 1998, sections 3.096; 43A.17, subdivision 4; 179.02, subdivision 2; 179A.03, subdivision 14; 179A.04, subdivision 3; 179A.10, subdivision 1; and 179A.16, subdivision 2; repealing Minnesota Statutes 1998, section 43A.17, subdivision 12.

Reported the same back with the following amendments:

Page 2, delete lines 29 to 31

Page 2, line 32, delete "10" and insert "9"

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 176, 595, 1077, 1180 and 2127 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1485, 1572, 1636 and 1721 were read for the second time.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 319.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 319, A bill for an act relating to retirement; various pension plans; providing special benefit coverage for privatized employees of the Luverne public hospital, the Waconia Ridgeview medical center, and the Glencoe area health center; creating a local government correctional service retirement plan; modifying actuarial cost provision; providing a special property tax levy for certain county retirement contributions; providing an ad hoc postretirement adjustment to Eveleth police and fire trust fund benefit recipients; establishing an additional postretirement adjustment for the Fairmont police relief association; extending survivor benefit provisions to include certain Fairmont police relief association survivors; providing a special ad hoc postretirement adjustment to certain retired St. Cloud police officers; merging the pre-March 1, 1999, local police and paid fire consolidation accounts into the public employees police and fire plan; extending the minimum volunteer firefighter fire state aid amount to post-1993 relief association members; modifying governance provisions for the Minneapolis fire department relief association and the Minneapolis police relief association; providing a targeted early retirement incentive program for certain employees of the metropolitan council; permitting the purchase of service credit by various public employees; mandating certain school district service credit purchase payments; making miscellaneous changes in the legislators retirement plan, the Minnesota state colleges and university system individual retirement account plan, the Minnesota state retirement system, and the teachers retirement association; including supplemental needs trusts as recipients of optional annuity forms; eliminating the service credit maximum for monthly benefit volunteer fire relief associations; mandating school district repayment of certain omitted deduction interest charges; expanding the membership of the state correctional employees retirement plan to include certain Minnesota extended treatment options program employees; downsizing the early retirement reduction rates for various public safety plans; grandparenting public employee police and fire plan coverage for certain Rice county correctional employees; requiring Rice county to repay certain police state aid amounts; providing employer penalties for pension plan membership certification failures or errors; providing special retirement coverage for certain state fire marshal employees; authorizing the purchase of credit for certain periods of prior military service, out-of-state public teaching service, maternity leaves, maternity breaks-in-employment, parochial or private school teaching service, Peace Corps service or VISTA service; clarifying various Minneapolis employees retirement plan survivor benefit provisions; increasing the number of vendors for certain tax-sheltered annuities for educational employees; modifying various benefit provisions for certain Minnesota state colleges and universities employees; reducing the membership of the legislative commission on pensions and retirement; requiring a study; authorizing the Minnesota state retirement system, the public employees retirement association, and the teachers retirement association to purchase or construct an administrative building; authorizing the issuance of certain revenue bonds; amending Minnesota Statutes 1998, sections 3.85, subdivisions 3, 11, and 12; 3A.02, subdivision 1b; 43A.27, subdivision 3; 69.021, subdivisions 7 and 10; 69.031, subdivision 5; 122A.46, subdivision 2; 136F.48; 273.1385, subdivision 2; 352.03, subdivision 1; 352.90; 352.91, by adding a subdivision; 352.92, subdivisions 1 and 2; 352.93, subdivision 2a; 352B.08, subdivision 2a; 353.01, subdivisions 2b, 10, and 16; 353.03, subdivision 4; 353.27, subdivisions 2 and 3; 353.64, subdivision 1; 353.65, subdivisions 2 and 3; 353.651, subdivision 4; 353A.083, by

adding a subdivision; 353A.09, subdivisions 4, 5, and by adding a subdivision; 354.05, subdivision 40; 354.06, subdivisions 1 and 7; 354.10, subdivision 4; 354.445; 354.66, subdivisions 1b, 1c, and 3; 354B.24, subdivision 3; 354B.25, subdivisions 2, 3, and 5; 354C.11; 354C.12, subdivision 4; 356.19, by adding subdivisions; 356.20, subdivision 2; 356.215, subdivision 4g; 356.24, subdivision 1; 356.30, subdivision 3; 356.302, subdivision 7; and 356.303, subdivision 4; 356.55, subdivisions 1 and 6; 422A.06, subdivisions 3 and 6; 422A.101, subdivision 4; 422A.18, subdivision 2; 422A.22, subdivisions 4 and 5; and 422A.23; 423A.02, subdivisions 1b, 2, and by adding subdivisions; and 423B.07; Laws 1977, chapter 61, section 6, as amended; proposing coding for new law in Minnesota Statutes, chapters 352; 353; 354; 354A; 354B; 356; and 422A; proposing coding for new law as Minnesota Statutes, chapters 353E; and 353F; repealing Minnesota Statutes 1998, sections 353.33, subdivision 3a; 353.65, subdivision 3a; 422A.16, subdivision 3a; and 424A.02, subdivision 5; Laws 1998, chapter 390, article 1, section 1.

The bill was read for the first time.

Mares moved that S. F. No. 319 and H. F. No. 1077, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

CALENDAR FOR THE DAY

H. F. No. 1195 was reported to the House.

Van Dellen moved that H. F. No. 1195 be continued on the Calendar for the Day. The motion prevailed.

S. F. No. 709 was reported to the House.

Tunheim moved to amend S. F. No. 709 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 937, the first engrossment:

"Section 1. Minnesota Statutes 1998, section 16C.16, subdivision 7, is amended to read:

Subd. 7. [ECONOMICALLY DISADVANTAGED AREAS.] The commissioner may award up to a ~~four~~ six percent preference in the amount bid on state procurement to small businesses located in an economically disadvantaged area. A business is located in an economically disadvantaged area if:

(1) the owner resides in or the business is located in a county in which the median income for married couples is less than 70 percent of the state median income for married couples;

(2) the owner resides in or the business is located in an area designated a labor surplus area by the United States Department of Labor; or

(3) the business is a rehabilitation facility or work activity program.

The commissioner may designate one or more areas designated as targeted neighborhoods under section 469.202 or as enterprise zones under section 469.167 as economically disadvantaged areas for purposes of this subdivision if the commissioner determines that this designation would further the purposes of this section. If the owner of a small business resides or is employed in a designated area, the small business is eligible for any preference provided under this subdivision.

The department of revenue shall gather data necessary to make the determinations required by clause (1), and shall annually certify counties that qualify under clause (1). An area designated a labor surplus area retains that status for 120 days after certified small businesses in the area are notified of the termination of the designation by the United States Department of Labor.

Sec. 2. [REPEALER.]

Minnesota Rules, part 1230.1860, item A, is repealed."

The motion prevailed and the amendment was adopted.

Tunheim and Bakk moved to amend S. F. No. 709, as amended, as follows:

Page 1, line 12, before "The" insert "(a) Except as otherwise provided in paragraph (b)."

Page 1, line 15, after the period, insert:

"(b) The commissioner may award up to a four percent preference in the amount bid on state construction to businesses located in an economically disadvantaged area.

(c)"

Page 1, line 25, before "The" insert "(d)"

Page 2, line 6, before "The" insert "(e)"

Page 2, lines 7 and 8, before "clause" insert "paragraph (c)."

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "providing an exception;"

The motion prevailed and the amendment was adopted.

S. F. No. 709, A bill for an act relating to state procurement; authorizing the commissioner of administration to award a preference of as much as six percent in the amount bid for specified goods or services to small businesses; amending Minnesota Statutes 1998, section 16C.16, subdivision 7; repealing Minnesota Rules, part 1230.1860, item A.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 81 yeas and 48 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Carlson	Chaudhary	Davids	Dempsey	Entenza
Bakk	Carruthers	Clark, J.	Dawkins	Dorman	Finseth
Biernat	Cassell	Clark, K.	Dehler	Dorn	Gleason

Gray	Jennings	Leppik	Nornes	Rostberg	Tunheim
Greenfield	Juhnke	Lieder	Opatz	Rukavina	Wagenius
Greiling	Kahn	Luther	Orfield	Schumacher	Wejcman
Hackbarth	Kalis	Mahoney	Osskopp	Seifert, M.	Wenzel
Harder	Kelliher	Mariani	Osthoff	Skoe	Westerberg
Hasskamp	Koskinen	Marko	Otremba	Skoglund	Westfall
Hausman	Kubly	McCollum	Paymar	Solberg	Westrom
Hilty	Kuisle	McGuire	Pelowski	Stang	Winter
Howes	Larson, D.	Milbert	Peterson	Tingelstad	
Huntley	Leighton	Mullery	Pugh	Tomassoni	
Jaros	Lenczewski	Murphy	Rest	Trimble	

Those who voted in the negative were:

Abeler	Daggett	Haas	Mares	Reuter	Sykora
Abrams	Erhardt	Holberg	McElroy	Rifenberg	Tuma
Anderson, B.	Erickson	Holsten	Molnau	Seagren	Van Dellen
Bishop	Fuller	Kielkucki	Mulder	Seifert, J.	Vandev eer
Boudreau	Gerlach	Knoblach	Ness	Smith	Wilkin
Bradley	Goodno	Krinkie	Olson	Stanek	Wolf
Broecker	Gunther	Larsen, P.	Ozment	Storm	Workman
Buesgens	Haake	Lindner	Pawlenty	Swenson	Spk. Sviggum

The bill was passed, as amended, and its title agreed to.

S. F. No. 768, A bill for an act relating to Ramsey county; making changes in the personnel process; amending Minnesota Statutes 1998, section 383A.288, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 66 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Gray	Kahn	Mahoney	Orfield	Seifert, J.
Bakk	Greenfield	Kalis	Mares	Osthoff	Skoe
Biernat	Greiling	Kelliher	Mariani	Otremba	Skoglund
Carlson	Haake	Koskinen	Marko	Ozment	Solberg
Carruthers	Hasskamp	Kubly	McCollum	Paymar	Tomassoni
Chaudhary	Hausman	Larsen, P.	McGuire	Pelowski	Trimble
Clark, K.	Hilty	Larson, D.	Milbert	Peterson	Tunheim
Dawkins	Huntley	Leighton	Mullery	Rest	Wagenius
Dorn	Jaros	Lenczewski	Murphy	Rostberg	Wejcman
Entenza	Jennings	Lieder	Ness	Rukavina	Wenzel
Gleason	Juhnke	Luther	Opatz	Schumacher	Winter

Those who voted in the negative were:

Abeler	Bishop	Broecker	Clark, J.	Dehler	Erickson
Abrams	Boudreau	Buesgens	Daggett	Dorman	Finseth
Anderson, B.	Bradley	Cassell	Davids	Erhardt	Fuller

Gerlach	Holsten	McElroy	Reuter	Storm	Westfall
Goodno	Howes	Molnau	Rifenberg	Swenson	Westrom
Gunther	Kielkucki	Mulder	Seagren	Sykora	Wilkin
Haas	Knoblach	Nornes	Seifert, M.	Tingelstad	Wolf
Hackbarth	Krinkie	Olson	Smith	Tuma	Workman
Harder	Kuisle	Osskopp	Stanek	Vandever	Spk. Sviggum
Holberg	Leppik	Pawlenty	Stang	Westerberg	

The bill was not passed.

S. F. No. 1094, A bill for an act relating to probate; changing provisions of the Uniform Probate Code; changing nomination provisions for conservators and guardians; amending Minnesota Statutes 1998, sections 524.2-101; 524.2-702; 524.3-916; and 525.544, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Holberg	Lindner	Otremba	Storm
Abrams	Dorn	Holsten	Luther	Ozment	Swenson
Anderson, B.	Entenza	Howes	Mahoney	Pawlenty	Sykora
Anderson, I.	Erhardt	Huntley	Mares	Paymar	Tingelstad
Bakk	Erickson	Jaros	Mariani	Pelowski	Tomassoni
Biernat	Finseth	Jennings	Marko	Peterson	Trimble
Bishop	Fuller	Juhnke	McCollum	Rest	Tuma
Boudreau	Gerlach	Kahn	McElroy	Reuter	Tunheim
Bradley	Gleason	Kalis	McGuire	Rifenberg	Vandever
Broecker	Goodno	Kelliher	Milbert	Rostberg	Wejzman
Buesgens	Gray	Kielkucki	Molnau	Rukavina	Wenzel
Carlson	Greenfield	Knoblach	Mulder	Schumacher	Westerberg
Carruthers	Greiling	Koskinen	Mullery	Seagren	Westfall
Cassell	Gunther	Krinkie	Murphy	Seifert, J.	Westrom
Chaudhary	Haake	Kubly	Ness	Seifert, M.	Wilkin
Clark, J.	Haas	Kuisle	Nornes	Skoe	Winter
Clark, K.	Hackbarth	Larsen, P.	Olson	Skoglund	Wolf
Daggett	Harder	Larsen, D.	Opatz	Smith	Workman
Dawkins	Hasskamp	Lenczewski	Orfield	Solberg	Spk. Sviggum
Dehler	Hausman	Leppik	Osskopp	Stanek	
Dempsey	Hilty	Lieder	Osthoff	Stang	

The bill was passed and its title agreed to.

H. F. No. 1493 was reported to the House.

Ozment moved that H. F. No. 1493 be returned to the General Register. The motion prevailed.

S. F. No. 84, A bill for an act relating to government; providing for protection of public officials and employees; prohibiting the filing of fraudulent liens; providing civil remedies; proposing coding for new law in Minnesota Statutes, chapter 514.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorn	Howes	Mahoney	Paymar	Tingelstad
Abrams	Entenza	Huntley	Mares	Pelowski	Tomassoni
Anderson, B.	Erhardt	Jaros	Mariani	Peterson	Trimble
Anderson, I.	Erickson	Jennings	Marko	Pugh	Tuma
Biernat	Finseth	Juhnke	McCollum	Rest	Tunheim
Bishop	Fuller	Kahn	McElroy	Reuter	Van Dellen
Boudreau	Gerlach	Kalis	McGuire	Rifenberg	Vandever
Bradley	Gleason	Kelliher	Milbert	Rostberg	Wagenius
Broecker	Goodno	Kielkucki	Molnau	Rukavina	Wejcman
Buesgens	Gray	Knoblach	Mulder	Schumacher	Wenzel
Carlson	Greenfield	Koskinen	Mullery	Seagren	Westerberg
Carruthers	Greiling	Krinkie	Murphy	Seifert, J.	Westfall
Cassell	Gunther	Kubly	Ness	Seifert, M.	Wilkin
Chaudhary	Haake	Kuisle	Nornes	Skoe	Winter
Clark, J.	Haas	Larsen, P.	Olson	Skoglund	Wolf
Clark, K.	Hackbarth	Larson, D.	Opatz	Smith	Workman
Daggett	Harder	Leighton	Orfield	Solberg	Spk. Sviggum
Davids	Hasskamp	Lenczewski	Osskopp	Stanek	
Dawkins	Hausman	Leppik	Osthoff	Stang	
Dehler	Hilty	Lieder	Otremba	Storm	
Dempsey	Holberg	Lindner	Ozment	Swenson	
Dorman	Holsten	Luther	Pawlenty	Sykora	

The bill was passed and its title agreed to.

S. F. No. 685 was reported to the House.

Wolf moved to amend S. F. No. 685, the unofficial engrossment, as follows:

Page 2, delete lines 8 to 15 and insert:

"(d) The commission shall:

(1) require owners of coin-operated or public pay telephones to provide coin-free access to 911 emergency service or to another approved emergency service;

(2) establish standards, by standing order, for coin-operated or public pay telephones to access 911 emergency services, including, but not limited to, timing of the transmission, location information and class of service designation; and

(3) require owners of coin-operated or public pay telephone to provide free access to the telecommunications relay service for the communication impaired.

(e) Owners of coin-operated or public pay telephones must post at each coin-operated or public pay telephone location:"

Page 2, delete lines 20 and 21

Page 2, line 22, delete "calls;"

Page 3, line 33, delete "subscribers" and insert "subscriber access lines"

Page 3, line 35, delete "subscribers" and insert "subscriber access lines"

Page 4, line 1, delete "subscribers" and insert "subscriber access lines"

Page 4, line 3, delete "subscribers" and insert "subscriber access lines"

Page 4, line 5, delete "subscribers" and insert "subscriber access lines"

Page 4, line 7, delete "subscribers" and insert "subscriber access lines"

Page 4, line 9, delete "subscribers" and insert "subscriber access lines"

Page 4, line 11, delete "subscribers" and insert "subscriber access lines"

Page 6, line 15, after the period, insert:

"(c) A complaint requesting an expedited proceeding, unless filed by the department of public service or the attorney general, must set forth the actions and the dates of the actions taken by the party filing the complaint to attempt to resolve the alleged violations with the party against whom the complaint is filed, including any requests that the party against whom the complaint is filed correct the conduct giving rise to the violations alleged in the complaint. If no such actions were taken by the complainant, the complaint shall set forth the reasons why no such actions were taken. The commission may order an expedited proceeding even if the party filing the complaint fails to meet this requirement if the commission determines that it would be in the public interest to go forward with the expedited proceeding without information in the complaint on attempts to resolve the dispute.

(d)"

Page 6, line 21, delete "(c)" and insert "(e)"

Page 7, line 1, delete "(d)" and insert "(f)"

Page 7, line 17, delete "(e)" and insert "(g)"

Page 7, line 21, delete "(f)" and insert "(h)"

Page 7, line 27, delete "(g)" and insert "(i)"

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Otremba was excused for the remainder of today's session.

Jennings, Huntley, Kahn and Lieder moved to amend S. F. No. 685, the unofficial engrossment, as amended, as follows:

Page 3, line 30, delete "\$100,000" and insert "\$25,000"

Page 4, line 1, delete "50,000 - 100,000" and insert "over 50,000" and delete "\$10,000" and insert "\$25,000"

Page 4, line 2, delete the semicolon, and insert a period

Page 4, delete lines 3 to 12

A roll call was requested and properly seconded.

The question was taken on the Jennings et al amendment and the roll was called. There were 61 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Greenfield	Kahn	Marko	Peterson	Tomassoni
Anderson, I.	Greiling	Kalis	McCollum	Pugh	Tunheim
Bakk	Hackbarth	Kelliher	McGuire	Rest	Vandever
Biernat	Hasskamp	Koskinen	Mullery	Rostberg	Wagenius
Carlson	Hausman	Kubly	Murphy	Rukavina	Wejcman
Chaudhary	Hilty	Larson, D.	Olson	Schumacher	Wenzel
Clark, K.	Howes	Leighton	Opatz	Skoe	
Dorn	Huntley	Lenczewski	Orfield	Skoglund	
Entenza	Jaros	Lieder	Osskopp	Smith	
Erickson	Jennings	Luther	Paymar	Solberg	
Gleason	Juhnke	Mahoney	Pelowski	Swenson	

Those who voted in the negative were:

Abeler	Davids	Gunther	Leppik	Ozment	Tingelstad
Abrams	Dawkins	Haake	Lindner	Pawlenty	Tuma
Bishop	Dehler	Haas	Mares	Reuter	Westerberg
Boudreau	Dempsey	Harder	Mariani	Rifenberg	Westfall
Bradley	Dorman	Holberg	McElroy	Seagren	Wilkin
Broecker	Erhardt	Holsten	Milbert	Seifert, J.	Winter
Buesgens	Finseth	Kielkucki	Molnau	Seifert, M.	Wolf
Carruthers	Fuller	Knoblach	Mulder	Stanek	Workman
Cassell	Gerlach	Krinkie	Ness	Stang	Spk. Sviggum
Clark, J.	Goodno	Kuise	Nornes	Storm	
Daggett	Gray	Larsen, P.	Osthoff	Sykora	

The motion did not prevail and the amendment was not adopted.

Clark, K., moved to amend S. F. No. 685, the unofficial engrossment, as amended, as follows:

Page 2, line 5, delete "237.06,"

Page 2, line 6, delete "237.09,"

A roll call was requested and properly seconded.

The question was taken on the Clark, K., amendment and the roll was called. There were 57 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Gleason	Juhnke	Luther	Orfield	Solberg
Bakk	Gray	Kahn	Mahoney	Paymar	Tomassoni
Biernat	Greenfield	Kalis	Mariani	Pelowski	Tunheim
Carlson	Greiling	Kelliher	Marko	Peterson	Wagenius
Carruthers	Hasskamp	Koskinen	McCollum	Pugh	Wejcman
Chaudhary	Hausman	Kubly	McGuire	Rest	Wenzel
Clark, K.	Hilty	Larson, D.	Milbert	Rukavina	Winter
Dawkins	Huntley	Leighton	Mullery	Schumacher	
Dorn	Jaros	Lenczewski	Murphy	Skoe	
Entenza	Jennings	Lieder	Opatz	Skoglund	

Those who voted in the negative were:

Abeler	Dehler	Hackbarth	Mares	Rostberg	Vandever
Abrams	Dempsey	Harder	McElroy	Seagren	Westerberg
Anderson, B.	Dorman	Holberg	Molnau	Seifert, J.	Westfall
Bishop	Erhardt	Holsten	Mulder	Seifert, M.	Westrom
Boudreau	Erickson	Howes	Ness	Smith	Wilkin
Bradley	Finseth	Kielkucki	Nornes	Stanek	Wolf
Broecker	Fuller	Knoblach	Olson	Stang	Workman
Buesgens	Gerlach	Krinkie	Osskopp	Storm	Spk. Sviggum
Cassell	Goodno	Kuisle	Ozment	Swenson	
Clark, J.	Gunther	Larsen, P.	Pawlenty	Sykora	
Daggett	Haake	Leppik	Reuter	Tingelstad	
Davids	Haas	Lindner	Rifenberg	Tuma	

The motion did not prevail and the amendment was not adopted.

S. F. No. 685, A bill for an act relating to telecommunications; deregulating coin-operated or public pay telephones under state law; authorizing the public utilities commission to assess administrative penalties for anticompetitive activities by telecommunication providers; amending Minnesota Statutes 1998, section 237.5799; proposing coding for new law in Minnesota Statutes, chapter 237.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 74 yeas and 51 nays as follows:

Those who voted in the affirmative were:

Abeler	Davids	Haas	Lenczewski	Pelowski	Sykora
Abrams	Dawkins	Hackbarth	Leppik	Pugh	Tingelstad
Bishop	Dehler	Harder	Luther	Rest	Tuma
Boudreau	Dempsey	Holberg	Mares	Reuter	Vandever
Bradley	Dorman	Holsten	McElroy	Rifenberg	Wenzel
Broecker	Dorn	Howes	Milbert	Rostberg	Westerberg
Buesgens	Erhardt	Kielkucki	Molnau	Seagren	Wilkin
Carlson	Erickson	Knoblach	Mulder	Seifert, J.	Wolf
Carruthers	Fuller	Krinkie	Ness	Seifert, M.	Spk. Sviggum
Cassell	Gerlach	Kuisle	Osskopp	Stanek	
Chaudhary	Goodno	Larsen, P.	Osthoff	Stang	
Clark, J.	Gunther	Larson, D.	Ozment	Storm	
Daggett	Haake	Leighton	Pawlenty	Swenson	

Those who voted in the negative were:

Anderson, B.	Greenfield	Kahn	McCollum	Peterson	Wagenius
Anderson, I.	Greiling	Kalis	McGuire	Rukavina	Wejcman
Bakk	Hasskamp	Kelliher	Mullery	Schumacher	Westfall
Biernat	Hausman	Koskinen	Murphy	Skoe	Westrom
Clark, K.	Hilty	Kubly	Nornes	Skoglund	Winter
Entenza	Huntley	Lieder	Olson	Smith	Workman
Finseth	Jaros	Mahoney	Opatz	Solberg	
Gleason	Jennings	Mariani	Orfield	Tomassoni	
Gray	Juhnke	Marko	Paymar	Tunheim	

The bill was passed, as amended, and its title agreed to.

Molnau moved that the remaining bills on the Calendar for the Day be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Mahoney moved that H. F. No. 1330 be recalled from the Committee on Crime Prevention and be re-referred to the Committee on K-12 Education Finance. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1235:

Swenson, Harder and Skoe.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 148:

Haas; Seifert, J., and Entenza.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 233:

Bishop, Biernat and Tuma.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1404:

Skoglund, Stanek and Biernat.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1821:

Gunther, Storm and Gray.

ADJOURNMENT

Molnau moved that when the House adjourns today it adjourn until 10:00 a.m., Monday, May 10, 1999. The motion prevailed.

Molnau moved that the House adjourn. The motion prevailed, and Speaker pro tempore Boudreau declared the House stands adjourned until 10:00 a.m., Monday, May 10, 1999.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

